

HONORABLE BARBARA J. ROTHSTEIN

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

vPersonalize Inc.,

Plaintiff,

v.

Magnetize Consultants Ltd. (*dba* Kit Builder),

Defendant.

Case No.: 2:18-CV-01836-BJR

**ORDER DENYING JOINT MOTION  
TO QUASH SUBPOENAS**

The Court is in receipt of the Joint Motion to Quash Subpoenas filed by third parties Robert Lee Hagelshaw and Balamurugan Selvarajan (“Respondents”). That motion asks the Court to quash two subpoenas, directed at Respondents, seeking documents and things related to prior litigation involving Respondents and, allegedly, the patents-in-suit, related 3D software design projects, and other matters that may be relevant to this litigation.

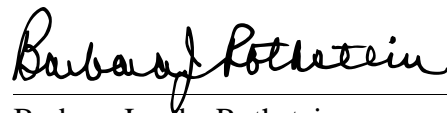
The limits of discovery, including subpoenas directed at third parties, are governed by federal rule. Those rules contemplate liberal discovery, to be allowed in the interests of justice and the fair and complete resolution of disputes. *See* Fed. R. Civ. P. 26(b)(1) (“Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action.”). Relevancy for the purposes of Rule 26 is broadly construed. *See, e.g., Katz v. Batavia Marine & Sporting Supplies, Inc.*, 984 F.2d 422, 424 (Fed. Cir. 1993).

ORDER RE MOTION TO QUASH

Case No.: 2:18-CV-01836-BJR

1 Critically here, the Respondents are not unrelated non-parties, strangers to the subject  
2 matter of this litigation. According to documents submitted by Defendant, they are Plaintiff  
3 vPersonalize's CEO (Selvarajan), and CFO, General Counsel, and Secretary (Hagelshaw); and  
4 both serve as corporate directors of the Plaintiff. Moreover, Respondents have failed to meet the  
5 burden, which is theirs, of demonstrating that the documents and things being sought are beyond  
6 the scope of this litigation, are unduly burdensome, or are irrelevant. The Court therefore DENIES  
7 the Joint Motion to Quash.

8 Dated this 7th day of October, 2019.

10 

11 Barbara Jacobs Rothstein  
12 U.S. District Court Judge

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on July 5, 2019 PST, I caused the foregoing ***[Proposed] Protective***  
3 ***Order*** to be:

4 ☒ electronically filed with the Clerk of the Court using the CM/ECF system which will send  
5 notification of such filing to the following:

6 Mudit Kakar  
7 Boyoon Choi  
8 Choi Capital Law, PLLC  
9 2101 Fourth Avenue, Suite 1570  
10 Seattle, WA 98121  
11 Email: [m.kakar@choicapitallaw.com](mailto:m.kakar@choicapitallaw.com)  
12 Email: [b.choi@choicapitallaw.com](mailto:b.choi@choicapitallaw.com)  
13 *Attorneys for Plaintiff*

14 By: /s/ Seth A. Watkins  
15 Seth A Watkins (D.C. Bar # 467470)\*  
16 \* admitted *pro hac vice*  
17 Watkins Law & Advocacy, PLLC  
18 1455 Pennsylvania Avenue NW, Suite 400  
19 Washington, DC 20004  
20 (202) 355-9421  
21 Fax: (202) 355-9424  
22 Email: [watkins@wlapllc.com](mailto:watkins@wlapllc.com)  
23 Attorney for Defendant  
24